

Amendment Under 37 C.F.R. § 1.116
USSN 09/512,815
Attorney Docket Q57966

REMARKS

The substitute specification has been amended to include a detailed description of figure 4 which was submitted with the last response.

In the last Office Action claim 23 was objected to because of an informality. Claims 17-23 inclusive were rejected under 35 U.S.C. § 103(a) as being unpatentable over Edge (US 4,844,142). Claims 24-28 were rejected under 35 U.S.C. § 35 U.S.C. § 103(a) as being unpatentable over Edge in view of McMellon (US 4,736,787).

Claim 23 has been amended to correct the informality. Claim 17 has been amended to more clearly bring out the fact that the models will be kept firmly in a fixed position with respect to the container during the vibrational motion generated by the vibration means. Reconsideration and allowance of the application are respectfully requested in view of the following remarks.

In rejecting claim 17 the Examiner was of the opinion that the inventive feature of claim 17 which refers to the limitation of the models and the container being substantially connected to each other as a single piece during vibrational motion, fails to patentably distinguish over the Edge reference, as both structures, models and containers are connected by common elements that would allow vibration essentially as a connected single piece. The Examiner further pointed out that applicant did not clearly specify which of the claimed apparatus limitations are not disclosed and/or are not obvious in view of the Edge reference.

It is respectfully pointed out that claim 17 specifically calls for positioning means associated with the containers to position foam models into said containers and support said models both while the sand is being fed into the containers by said feeding means and while the containers containing the models are being vibrated by the vibration means. Claim 17 further

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specifies that the positioning means includes first model gripping means connected to said positioning means for gripping said models and second container gripping means connected to said positioning means for gripping said containers so that with said first and second gripping means gripping, respectively, the models and the container the models will be kept firmly in a fixed position with respect to the container during the vibrational motion generated by said vibration means. Structure equivalent to the positioning means and the first model gripping means and the second container gripping means connected to the positioning means are not found in the patent to Edge or for that matter any of the references of record. In the patent to Edge the plastic foam pattern P as shown in figures 8 and 9 is supported flexibly within each flask at the proper level by a floating pattern carrier ring R comprising an annular inversely disposed channel 25 fitting over the top Edge of each flask and having rigid radial arms 25a connected with a pattern-supporting collar 25b by springs 25c. The ring R and the pattern P are manually placed in position before the table indexes through the filling and compacting station S-2 (see column 3, lines 11-21). Therefore no means are provided for gripping the container and the mould simultaneously during the positioning of the mould of the container and the subsequent vibration of the mould within the container. The functional language which has been added to claim 17 sets forth the function of the positioning means and the first and second gripping means. Such functional language is found on page 10 of the substitute specification in the second full paragraph. It is further stated in the substitute specification on page 11, in the second paragraph that the vibratory motion is applied to the body of the container while the model S is kept in a fixed position with respect to the container C by means of the various parts

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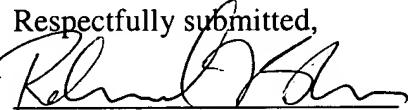
numbered 109 to 11. This insures that the vibratory motion, no matter how great its amplitude or intensity will not be able to either displace the model S from its correct position or to cause a breakage of the gripping formation T.

The pattern P of Edge is not kept in a fixed position with respect to the container C in view of the spring mounting of the pattern.

In view of the foregoing amendments and arguments it is respectfully submitted that claim 17 as amended is anticipated by or obvious in view of the teachings the Edge patent. Therefore it is respectfully requested that claim 17 as well as claims 18-28 inclusive which are dependent therefrom be allowed and the application passed to issue forthwith.

Since the due date for responding to the outstanding Final Rejection fell on a Sunday, the filing of this response on Monday, March 24, 2003 is considered to be timely filed.

If for any reason the Examiner is unable to allow the application on the next Office Action and feels that an interview would be helpful to resolve any remaining issue, the Examiner is respectfully requested to contact the undersigned attorney for the purpose of arranging such an interview.

Respectfully submitted,


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